

TENTH DAY

(Tuesday, January 24, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. Homer Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gordon, Mrs.
Allen	Hale
Allison	Hamilton
Alsup	Hankamer
Anderson	Hardin
Bailey	Harp
Baker	Harper
of Fort Bend	Harrell of Bastrop
Baker of Grayson	Harrell of Lamar
Bell	Harris
Blankenship	Hartzog
Bond	Heflin
Boyd	Holland
Boyer	Howard
Bradbury	Howington
Bradford	Hull
Bray	Hunt
Bridgers	Isaacks
Broadfoot	Johnson of Ellis
Brown of Cherokee	Johnson of Tarrant
Brown	Keith
of Nacogdoches	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kersey
Cauthorn	Kinard
Chambers	King
Clark	Langdon
Cleveland	Lehman
Cockrell	Leonard
Coleman	Leyendecker
Colquitt	Little
Colson, Mrs.	Lock
Cornett	Loggins
Corry	London
Crossley	Mays
Daniel	McAlister
Davis of Jasper	McDaniel
Davis of Upshur	McDonald
Dean	McFarland
Derden	McMurry
Dickison	MeNamara
Dickson	Mohrmann
Donaghey	Monkhouse
Dwyer	Montgomery
Faulkner	Morris
Felty	Newell
Ferguson	Nicholson
Fielden	Oliver
Fuchs	Olsen
Galbreath	Pace
Gilmer	Pevehouse
Goodman	Piner

Pope	Stoll
Ragsdale	Talbert
Reader of Bexar	Tarwater
Reader of Erath	Taylor
Reaves	Tennant
Reed	Thornberry
Rhodes	Thornton
Riviere	Turner
Roach	Vale
Roberts	Vint
Robinson	Voigt
Russell	Waggoner
Schuenemann	Weldon
Segrist	Wells
Shell	Westbrook
Skiles	White
Smith of Frio	Wilson
Smith of Hopkins	Winfree
Smith	Wood
of Matagorda	Worley
Spencer	Wright
Stinson	

Absent

Celaya

Absent—Excused

Dowell

Petsch

Hardeman

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we find ourselves confronted by tasks too great for accomplishment except as Thou shalt enlighten and strengthen us. We pray for Thy leadership as we tread new paths and Thy guidance as we enter new fields in the service of our beloved State. In Jesus' name, Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Hardeman for today, on motion of Mr. Goodman.

Mr. Brown of Nacogdoches temporarily for today, on motion of Mr. Hull.

The following Members were granted leaves of absence on account of illness:

Mr. Petsch for today, on motion of Mr. Corry.

Mr. Dowell for today, on motion of Mr. Morris.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and

referred to the appropriate committees, as follows:

By Mr. Cornett:

H. B. No. 234, A bill to be entitled "An Act authorizing the County Boards of certain counties to set aside an amount not to exceed Six Hundred (\$600.00) Dollars to defray the expenses of the County Superintendent and County School Board of Trustees in the administration of scholastic affairs; repealing all laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Brown of Nacogdoches:

H. B. No. 235, A bill to be entitled "An Act to amend Article 5222, Revised Civil Statutes of Texas, 1925, as amended by Chapter 100, Acts of the Regular Session, Forty-second Legislature, by fixing the date of the beginning and the date of the ending of farm tenancy, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Crossley and Mr. Burkett:

H. B. No. 236, A bill to be entitled "An Act authorizing the Commissioners' Court in each county in this State having a population of not less than thirty-four thousand (34,000) nor more than thirty-four thousand two hundred (34,200), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Baker of Fort Bend:

H. B. No. 237, A bill to be entitled "An Act amending Acts, 1929, Forty-first Legislature, Chapter 314, page 698, as amended, Acts, 1931, Forty-second Legislature, Chapter 277, Section 5, page 480, to provide for the granting of certificates of public con-

venience and necessity, prescribing the procedure for obtaining such certificates of public convenience and necessity, together with the conditions thereof, requiring certain services of common carrier motor carriers, prohibiting discrimination, and declaring an emergency."

Referred to the Committee on Common Carriers.

By Mr. Hale:

H. B. No. 238, A bill to be entitled "An Act to reorganize and simplify the organization of the Executive Department of the State Government to provide for better service and economy through the enactment of a Civil Administrative Code; providing for the creation of eighteen (18) administrative departments; redistributing the functions, powers and duties of certain existing offices, departments, boards, commissions, institutions and other agencies among them; providing for the abolishment of certain offices, departments, boards, commissions, institutions and other agencies; creating certain others; continuing certain others; transferring certain others; defining the organization, powers and duties of offices, departments, boards, commissions and other agencies that are hereby created or retained, and providing for a co-ordination of their activities; abolishing certain special funds; fixing terms of office, methods of appointment and election, duties and qualifications of offices and positions and providing the methods of fixing compensation thereof; prescribing methods and procedure to be followed in budget making, financial control, purchasing, personnel, taxation, treasury administration, public reporting and other matters; creating the Department of Post-Audit, responsible solely to the Legislature; defining its organization, powers and duties and providing a method of removal; defining the administrative policy of the State Government; authorizing the transfer of records, equipment, officers, employees and appropriations to the proper offices herein created; providing for the promulgation of administrative rules; declaring that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof; prescribing penalties; repealing Articles 75, 601, 2605, 5891 and 7019 of the Revised Civil Statutes of

Texas, 1925, so much of Article 3192 as relates to the Dallas State Psychopathic Hospital, so much of Article 3068 as relates to the State Board of Canvassers, so much of subdivision (c) of Section 10 and Section 12 of Senate Bill No. 5, Acts of the Forty-fourth Legislature, Third Called Session, as relates to the Texas Employment Service, Chapter 293 of the General and Special Laws of the Fortieth Legislature, Chapter 185 of the General and Special Laws of the Forty-first Legislature, Chapters 47 and 255 of the General Laws of the Forty-second Legislature, and all other laws or parts of laws, rules and regulations in conflict with any provision of this Act, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Coleman, Mr. Bradbury and Mr. Harrell of Bastrop:

H. B. No. 239, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; making this Act cumulative of all General Laws on the same subject, such General Laws to apply except in case of conflict when the provisions of this Act shall control, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Vale:

H. B. No. 240, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not fewer than six thousand seven hundred fifty (6,750) and not more than six thousand eight hundred fifty (6,850) inhabitants, whether organized under General or Special Laws; repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Vale:

H. B. No. 241, A bill to be entitled "An Act making an emergency appro-

priation of Thirty-five Thousand (\$35,000.00) Dollars for the Texas College of Arts and Industries at Kingsville, Texas, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Newell:

H. B. No. 242, A bill to be entitled "An Act regulating and controlling the business or occupation, and those engaged in the business or occupation of State School Buildings Custodian, providing for the registration of persons engaged in such business or occupation; making it unlawful to engage in such business directly or indirectly without complying with this Act; providing for application for the issuance of licenses and the fees therefor; providing for the refusal, suspension or revoking of licenses and the method of procedure to be followed at hearings and for appeals from the decisions of the Superintendent created; defining offenses against the Act and the punishment therefor; defining false swearing under the Act; providing for the creation of the office of State School Superintendent of Custodians, the appointment, qualifications, compensation and powers of the Superintendent, for the appointment of a Secretary, for the appropriation and disposition of funds collected by the Superintendent, giving the State Board of Health the power to make reasonable sanitary and safety rules and regulations for the conduct of the business, providing for permanent records of the Superintendent, providing that if any part of this Act shall be declared unconstitutional, it shall not affect any other part thereof, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Harp, Mr. London, Mr. Burkett, Mr. Reader of Erath and Mr. McMurry:

H. B. No. 243, A bill to be entitled "An Act providing that upon the payment of the ad valorem tax due on any vehicle the owner thereof shall be entitled to a receipt showing such taxes paid, even if his other ad valorem taxes remain unpaid; providing that no motor vehicle shall be registered until the owner thereof shall have satisfied the Tax Assessor-Collector that all ad valorem taxes on

such vehicle have been paid in full for the preceding calendar year, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Hunt:

H. J. R. No. 14, House Joint Resolution, Proposing an amendment of Section 55 of Article 3 of the Constitution of the State of Texas releasing and extinguishing all ad valorem taxes on property which are ten (10) years past due when such amendment becomes effective and judgments therefor, except taxes remitted to counties; cancelling tax deeds; and authorizing the Legislature to pass laws limiting the time when all such taxes which are not now ten (10) years past due may be collected, and the remedies for collection thereof.

Referred to the Committee on Constitutional Amendments.

AMENDMENT TO RULES OF THE HOUSE

Mr. Thornton moved that Rule XXIXa of the Report of the Committee on Rules, which Rule relates to the privileges of the Floor of the House, and those entitled to occupy seats within railing to be erected on the Floor of the House, be amended so as to include Members of the House, and to also strike out the words "of the Regular Session".

The motion prevailed by the following vote:

Yeas—130

Allen	Bradford
Allison	Bray
Alsup	Bridgers
Anderson	Broadfoot
Bailey	Brown of Cherokee
Baker	Brown
of Fort Bend	of Nacogdoches
Baker of Grayson	Bundy
Bell	Burney
Blankenship	Cauthorn
Bond	Chambers
Boyer	Clark
Bradbury	Cleveland

Coleman	McFarland
Colquitt	McMurry
Colson, Mrs.	McNamara
Cornett	Mohrmann
Corry	Monkhouse
Crossley	Montgomery
Daniel	Morris
Davis of Jasper	Newell
Davis of Upshur	Nicholson
Dean	Oliver
Derden	Olsen
Dickison	Pace
Dickson	Pevehouse
Donaghey	Piner
Faulkner	Ragsdale
Felty	Reader of Erath
Ferguson	Reaves
Fuchs	Reed
Galbreath	Rhodes
Gilmer	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hamilton	Robinson
Hardin	Russell
Harp	Schuenemann
Harper	Segrist
Harrell of Bastrop	Shell
Harris	Skiles
Heflin	Smith of Frio
Howard	Smith of Hopkins
Howington	Smith
Hull	of Matagorda
Hunt	Spencer
Isaacks	Stinson
Johnson of Ellis	Stoll
Johnson of Tarrant	Talbert
Kennedy	Taylor
Kern	Tennant
Kerr	Thornberry
Kersey	Thornton
Kinard	Turner
King	Vale
Langdon	Vint
Lehman	Voigt
Leonard	Waggoner
Leyendecker	Weldon
Little	Wells
Lock	Westbrook
Loggins	White
London	Wilson
Mays	Wood
McAlister	Worley
McDaniel	Wright
McDonald	

Absent

Boyd	Harrell of Lamar
Burkett	Hartzog
Celaya	Holland
Cockrell	Keith
Dwyer	Pope
Fielden	Reader of Bexar
Hale	Tarwater
Hankamer	Winfree

Absent—Excused

Dowell
Hardeman

Petsch

COMMUNICATION FROM HONORABLE TOM CONNALLY

The Chair laid before the House, and had read the following communication:

Honorable R. Emmett Morse, Speaker of the House of Representatives:

Have received resolution Texas House of Representatives urging action to obtain from Interstate Commerce Commission rulings necessary to abolish discriminatory freight rates stop the discrimination in freight rates against the South and Southwest is outrageous stop matter has been and is now receiving my attention and hope to be able with other Members of Congress to bring about action to correct this shameful situation stop last night attended meeting Senators and Congressmen from a number of Southern States in effort to solidify our strength and to bring to bear upon Congress and Interstate Commerce Commission sufficient pressure to have these unfair freight rates corrected and equalized.

TOM CONNALLY.

On motion of Mr. Bradbury, the communication was ordered printed in the Journal.

BILL RE-REFERRED

Mr. Winfree moved that Senate Bill No. 47 be withdrawn from the Committee on Conservation and Reclamation, and referred to the Committee on Rules.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, January 24, 1939.
Hon. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. C. R. No. 20, In memory of Dr. W. R. Newton.

Respectfully,

BOB BARKER,

Secretary of the Senate.

REQUESTING CERTAIN INFORMATION OF THE SOCIAL SECURITY BOARD

Mr. Russell offered the following resolution:

H. S. R. No. 92, Requesting certain information of the Social Security Board.

Whereas, On January 18, 1939, the Hon. W. Lee O'Daniel, Governor of Texas, delivered to a joint session of the Forty-sixth Legislature of the State of Texas a message, in said message he asked emergency legislation, submitting to the people of Texas a constitutional amendment which is contained verbatim in House Journal of the eighteenth day of January, 1939, and also a bill placing said constitutional amendment in force and effect if the people of Texas should vote for said constitutional amendment; and

Whereas, There is a divided opinion as to whether or not that said constitutional amendment and said bill, placing same in effect, meets the requirement of the Social Security Act passed by the Congress of the United States now in effect; in said bill His Excellency, the Governor of Texas, delegates to the County Judges of the different counties of Texas the authority and power to examine all recipients of all old age assistance; and

Whereas, In said constitutional amendment and bill he liberalizes said pensions to some extent; and

Whereas, The Legislature is not satisfied as to whether or not said bill will meet the Federal requirement of said Social Security Act; and

Whereas, If the people should vote for said constitutional amendment and Legislature votes for said bill and put said constitutional amendment in effect, would the same and all of it be in conformity with the Social Security Act; now, be it therefore

Resolved by the House of Representatives of the Forty-sixth Legislature of the State of Texas, That they direct the Chief Clerk of the House to communicate with the Social Security Board at Washington, D. C., inclosing said Journal containing the constitutional amendment as proposed by the Governor for a ruling by the Social Security Board as to whether or not the constitutional amendment and bill, placing same in effect meets the requirements of the Social Security Act in full; and if the same does

not, then the Directors of the Social Security Board point out the objections if any there be.

The resolution was read second time.

Mr. Bridgers offered the following amendment to the resolution:

Amend the resolution to read that the Administrator of the National Security Act be requested to come to Texas and testify before the committee to consider the bill proposed by Governor O'Daniel.

The amendment was adopted.

Mr. Davis of Upshur raised a point of order, on further consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. Bond moved that the Rule, relative to the time allotted for the consideration of resolutions, be suspended, until the above resolution is disposed of.

The motion prevailed.

Mr. Russell moved to reconsider the vote by which the amendment by Mr. Bridgers was heretofore adopted.

The motion to reconsider prevailed.

Question then recurring on the amendment by Mr. Bridgers, it was lost.

Mr. Wood moved that the resolution be referred to the Committee on Appropriations.

Mr. Alsup moved that the resolution be referred to the Committee on State Affairs.

Mr. Russell moved to table the motion of Mr. Alsup.

The motion to table was lost.

Question then recurring on the motion of Mr. Alsup, that the resolution be referred to the Committee on State Affairs, it prevailed.

MOTION TO PRINT CERTAIN ADDRESS

Mr. Leyendecker moved that the remarks of Mr. Galbreath made in addressing the House be printed in the Journal.

The motion prevailed.

Mr. Hull moved that the House reconsider the vote by which the remarks were ordered printed in the Journal.

The motion to reconsider prevailed. Question then recurring on the motion to print the remarks, it was lost.

COMMUNICATION FROM SOCIAL SECURITY BOARD

On motion of Mr. Bridgers, the following communication received by Mr. Alsup was ordered printed in the Journal:

United States Senate
Committee on Public Buildings
and Grounds

April 21, 1938

Honorable Lon E. Alsup,
Carthage, Texas.

My dear Alsup:

Herewith I hand you communication which I have just received from the Social Security Board, and which is self-explanatory.

With cordial good wishes, I am,

Sincerely,

TOM CONNALLY.

Social Security Board
Washington, D. C.

Office of the Executive Director.

April 20, 1938.

Honorable Tom Connally,
United States Senate,
Washington, D. C.

Dear Senator Connally:

We are replying to your letter of April fourth which you inclosed a letter from Honorable Lon E. Alsup, member of the Texas House of Representatives.

Mr. Alsup requests information as to whether, in the event the State of Texas should pass a law giving old-age assistance to every person over the age of 65 years, the Federal Government would match funds for such program. This question was answered in our letter dated March 11, 1937, to the Chief Clerk of the Texas House of Representatives, pointing out that under Section I of Title I of the Social Security Act, Federal funds are provided to enable States to furnish financial assistance to "aged needy individuals." Therefore, individuals must be needy as well as over 65 years of age in order to qualify within the meaning of the Social Security Act.

In this connection, Mr. Alsup says, it is necessary for the members of the

Texas Legislature to know "just how far they may go" in providing aid to the aged. The Social Security Board has interpreted the provisions of the public assistance titles of the Social Security Act to require that State plans provide for a reasonable definition of need based upon consideration of the resources available in each case; and that assistance be granted to the applicant according to his individual need.

The experience of other States has shown that, in considering the development of a State old-age assistance program, the welfare of other needy groups in the State should also be considered. Most States have agreed that the extent to which the State legislature should attempt to meet the problem of financial assistance to the needy aged should be conditioned upon the amount of State money which could be reasonably allocated to this purpose on a continuing basis over a period of years, taking into account the State welfare program as a whole, and the general fiscal situation of the State government.

Mr. Alsup further asks whether the Federal government would approve a State plan which would give the Commissioners Courts of the various counties the right to administer old-age assistance. The Social Security Act expressly authorizes administration of assistance either directly by a State agency or by counties or other local subdivisions. In the latter type of organization, the Act provides that the administration of assistance must be conducted on a mandatory basis in all the local subdivisions, under the supervision of a single State agency. We understand that the County Commissioners Courts in the State of Texas exercise administrative as well as judicial functions, but that under the provisions of the Texas State Constitution they are limited to the performance of "county business." There may be some question, therefore, whether the Texas Legislature can properly vest the County Commissioners Courts with the powers and duties of administering old-age assistance under the State regulations and subject to the supervision of a State department or agency. You will readily understand that in order to answer Mr. Alsup's second question more fully, it would be necessary for the Social Security Board to have before it a comprehensive and

authoritative analysis of the status and functions of the Commissioners Courts prepared by State officials.

The plan or program for old-age assistance is regarded by the Social Security Board as essentially a State program to be worked out by the State, and submitted to the Board for analysis and the Board's decision in respect to whether or not the plan meets the requirements of the Social Security Act.

Mr. Alsup's letter is being returned herewith in accordance with your request.

Sincerely yours,
FRANK BANE,
Executive Director.

Enclosure.

EXTENDING USE OF THE HALL OF THE HOUSE OF REPRESENTATIVES

Mr. Ragsdale offered the following resolution:

H. S. R. No. 95, Extending use of the Hall of the House of Representatives.

Whereas, The present record breaking surplus of cotton plainly presents an economic problem of far reaching magnitude; and

Whereas, The increased and expanded consumption of cotton presents the only real solution to the above mentioned problem; and

Whereas, Public opinion is slowly but surely coming to the realization that great emphasis must be given to consumption of the South's principal product as means of bringing back enduring prosperity to the Southern States; and

Whereas, There is in Texas an organization known as the State Wide Cotton Committee, which expects to hold a meeting in the State Capitol on February 17; and

Whereas, Said meeting is State wide in character and expects to have speakers of national prominence in attendance upon its session; now, therefore, be it

Resolved, That the House of Representatives hereby invites said State Wide Cotton Committee to hold its sessions in the Hall of the House of Representatives, and that we do hereby tender the use of the Hall of the House on Friday, February 17, for the use of said meeting, as members of the Legislature may attend said meeting, and cordially invite the

officials in charge of said session to plan their meeting in accordance herewith.

FUCHS,
RAGSDALE,
CLEVELAND,
HAMILTON,
PEVEHOUSE,
DERDEN,
SEGRIST.

The resolution was read second time, and was adopted.

SENATE BILL NO. 47 ON SECOND READING

Mr. Winfree moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 47 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Allen	Dwyer
Allison	Faulkner
Alsup	Felty
Anderson	Ferguson
Bailey	Fielden
Baker	Fuchs
of Fort Bend	Galbreath
Baker of Grayson	Goodman
Bell	Gordon, Mrs.
Blankenship	Hale
Bond	Hamilton
Boyd	Hankamer
Boyer	Harp
Bradbury	Harper
Bradford	Harrell of Bastrop
Bray	Harrell of Lamar
Bridgers	Harris
Broadfoot	Hartzog
Brown of Cherokee	Heflin
Bundy	Holland
Burkett	Howard
Cauthorn	Howington
Chambers	Hull
Clark	Hunt
Cleveland	Isaacks
Cockrell	Johnson of Ellis
Coleman	Johnson of Tarrant
Colquitt	Keith
Colson, Mrs.	Kennedy
Cornett	Kern
Corry	Kerr
Crossley	Kersey
Daniel	Kinard
Davis of Jasper	King
Davis of Upshur	Langdon
Derden	Lehman
Dickison	Leyendecker
Donaghey	Little

Lock	Russell
Loggins	Schuenemann
London	Segrist
Mays	Shell
McAlister	Smith of Frio
McDaniel	Smith
McDonald	of Matagorda
McFarland	Spencer
McMurry	Stinson
McNamara	Stoll
Mohrmann	Talbert
Monkhouse	Tarwater
Montgomery	Taylor
Morris	Tennant
Newell	Thornberry
Nicholson	Thornton
Oliver	Turner
Pace	Vale
Pevehouse	Vint
Piner	Waggoner
Pope	Weldon
Ragsdale	Wells
Reader of Erath	Westbrook
Reed	White
Rhodes	Wilson
Riviere	Winfree
Roach	Wood
Roberts	Worley
Robinson	Wright

Absent

Burney	Olsen
Celaya	Reader of Bexar
Dean	Reaves
Dickson	Skiles
Gilmer	Smith of Hopkins
Hardin	Voigt

Absent—Excused

Brown	Hardeman
of Nacogdoches	Petsch
Dowell	

The Chair then laid before the House, on its second reading and passage to third reading,

S. B. No. 47, A bill to be entitled "An Act validating the creation of and certain proceedings, notices and orders relative to the creation of and issuance of bonds by Harris County Drainage District No. 14, and declaring an emergency."

The bill was read second time.

Mr. Winfree offered the following Committee Amendment to the bill:

Amend Senate Bill No. 47, by striking out all below the enacting clause, and substituting the following:

"Section 1. That all proceedings, notices and orders directed toward the establishment and creation of Harris

County Drainage District No. 14, under authority of Chapter 7, Title 128 of the Revised Civil Statutes of 1925, be and the same are hereby expressly validated, and that said Harris County Drainage District No. 14 be and the same is hereby expressly validated and established.

"Sec. 2. The fact that Harris County Drainage District No. 14 has opportunity to obtain an assistance grant from the Federal Government, such grant being available for a limited time only, creates an emergency and an imperative public necessity that the constitutional rule requiring that all bills be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall be in full force and effect from and after its passage, and it is so enacted."

The amendment was adopted.

Senate Bill No. 47 was then passed to third reading.

SENATE BILL NO. 47 ON THIRD READING

The Chair then laid before the House, on its third reading and final passage, Senate Bill No. 47.

The bill was read third time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 47 was passed by the following vote:

Yeas—131

Allen	Cauthorn
Allison	Chambers
Alsup	Cleveland
Bailey	Cockrell
Baker	Coleman
of Fort Bend	Colquitt
Baker of Grayson	Colson, Mrs.
Bell	Cornett
Blankenship	Corry
Bond	Crossley
Boyd	Daniel
Boyer	Davis of Jasper
Bradbury	Davis of Upshur
Bradford	Dean
Bray	Derden
Bridgers	Dickison
Brown of Cherokee	Dickson
Bundy	Donaghey
Burkett	Dwyer

Faulkner	Montgomery
Felty	Morris
Ferguson	Newell
Fielden	Nicholson
Fuchs	Oliver
Galbreath	Olsen
Goodman	Pace
Gordon, Mrs.	Pevehouse
Hale	Piner
Hamilton	Pope
Hankamer	Reader of Erath
Hardin	Reaves
Harp	Reed
Harper	Rhodes
Harrell of Bastrop	Riviere
Harrell of Lamar	Roach
Harris	Roberts
Hartzog	Robinson
Heflin	Russell
Holland	Schuenemann
Howard	Segrist
Howington	Shell
Hull	Smith of Frio
Hunt	Smith
Isaacks	of Matagorda
Johnson of Ellis	Spencer
Johnson of Tarrant	Stinson
Keith	Stoll
Kennedy	Talbert
Kern	Tarwater
Kerr	Taylor
Kersey	Tennant
Kinard	Thornberry
King	Thornton
Langdon	Turner
Lehman	Vale
Leyendecker	Vint
Little	Waggoner
Lock	Weldon
London	Wells
Mays	Westbrook
McAlister	White
McDaniel	Wilson
McDonald	Winfree
McMurry	Wood
McNamara	Worley
Mohrmann	Wright
Monkhouse	

Absent

Anderson	McFarland
Broadfoot	Ragsdale
Burney	Reader of Bexar
Celaya	Skiles
Clark	Smith of Hopkins
Gilmer	Voigt
Loggins	

Absent—Excused

Brown	Hardeman
of Nacogdoches	Petsch
Dowell	

MESSAGE FROM THE SENATE

Austin, Texas, January 24, 1939.
Hon. Emmett Morse, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has passed the following:

S. B. No. 84, A bill to be entitled
"An Act to create a more efficient
road law for Randall County, etc.,
and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

ADJOURNMENT

On motion of Mr. Talbert, the
House, at 11:20 o'clock a. m., ad-
journed until 11:00 o'clock a. m., to-
morrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees filed
favorable reports on bills, as follows:

Counties: House Bill No. 157.

Rules: Senate Bill No. 47.

REPORT OF THE COMMITTEE
ON ENROLLED BILLS

Committee Room,

Austin, Texas, January 23, 1939.

Hon. R. Emmett Morse, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 6, Setting aside cer-
tain parking space for Members of
the Legislature and press.

Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

In Memory of Hon. Frank G. Pettibone

Mr. Howard offered the following resolution.

H. S. R. No. 94, In memory of Hon. Frank G. Pettibone.

Whereas, On Monday, January 23, 1939, the Supreme Ruler of the Universe, in His infinite wisdom, called from the walks of life the Honorable Frank G. Pettibone, of Dallas, Texas; and

Whereas, Mr. Pettibone was born in Rockford, Illinois, in 1861, beginning his career as a messenger boy with the Santa Fe Railroad at Burlington, Iowa, becoming in turn operator, clerk, and chief clerk; coming to Texas at an early age, he settled first at Galveston where he rose to be General Superintendent and then Vice President and General Manager of the Santa Fe; and

Whereas, His talents were recognized, not only in Texas where he served on the staffs of three Governors, but nationally by his appointment during the World War as District Governor of the Southwest under the railroad administration; and

Whereas, In the above named capacities he rendered a distinguished service to his community and State that will live forever in the memory of those who knew of his valiant and patriotic efforts; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we now express our regrets at the passing of this great man, and that when the House adjourns today, that it do so in his honor; and, be it further

Resolved by the House of Representatives of the State of Texas, That a copy of this resolution be sent to each member of the deceased's family, under the seal of the Chief Clerk of the House of Representatives.

HOWARD,
THORNTON.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Olsen, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Faulkner, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.